

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JOSE RIOS-MORENO,

Plaintiff,

v.

No. CIV 11-971 LH/LFG

MARY JAMES, Health Services Administrator,  
and JUNE KERSHNER, Nurse Practitioner,

Defendants.

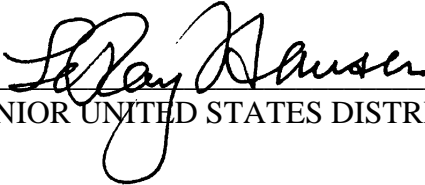
**ORDER ADOPTING MAGISTRATE JUDGE'S ANALYSIS  
AND RECOMMENDED DISPOSITION  
AND DISMISSING ACTION WITH PREJUDICE**

THIS MATTER is before the Court on the Magistrate Judge's Analysis and Recommended Disposition, filed January 2, 2013 [Doc. 30]. Magistrate Judge Garcia recommended that summary judgment on Plaintiff Jose Rios-Moreno's ("Rios-Moreno") federal and state law claims be granted in favor of Defendants and that the Complaint be denied and dismissed, with prejudice. Rios-Moreno had until January 22, 2013, to file objections, and was advised that the failure to file timely objections would preclude appellate review. [Doc. 30, at 1, n.2 (*citing* Wirsching v. Colorado, 360 F.3d 1191, 1197 (10<sup>th</sup> Cir. 2004) (discussing Tenth Circuit's firm waiver rule)]. Rios-Moreno did not file any objections or a request for an extension of time to do so, and the deadline for filing objections expired ten (10) days ago.

The Court accepts the Magistrate Judge's Analysis and Recommended Disposition that summary judgment be granted in favor of Defendants and that Rios-Moreno's Complaint be dismissed, with prejudice.

IT IS HEREBY ORDERED that the Court adopts the United States Magistrate Judge's Analysis and Recommended Disposition.

IT IS FURTHER ORDERED that summary judgment is granted in favor of Defendants on all of Rios-Moreno's federal and state law claims, and that Rios-Moreno's Complaint and this matter are dismissed with prejudice.

  
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SENIOR UNITED STATES DISTRICT JUDGE